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# HOUSE RESEARCH ORGANIZATION

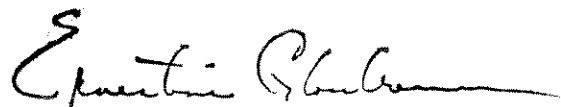
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## daily floor report

Wednesday, January 14, 1987  
The House convenes at 10 a.m.

Gov. Mark White will address a joint session of the House and Senate at 11 a.m. in the House chamber.

The House is expected to consider HR 5 by C. Evans and Wilson, the proposed House rules for the 70th Legislature, and HR 7 by Millsap, the proposed Housekeeping Resolution. Both were distributed yesterday afternoon and are summarized in today's Daily Floor Report.



Ernestine Glossbrenner  
Chair

Proposed House Rules -- HR 5 by C. Evans, Wilson

Committee Changes

The number of committees would remain 34. Although some committees would be reorganized, the total number of "slots" available on substantive committees would remain unchanged.

The State, Federal, and International Relations Committee (nine members) would be eliminated. Its jurisdiction and responsibility for appropriations for the Office of State-Federal Relations, the Good Neighbor Commission, and the Texas Commission on Interstate Cooperation would be transferred to the State Affairs Committee.

The Law Enforcement Committee (nine members) would be eliminated and its jurisdiction divided between two new committees -- a Corrections Committee (nine members) and a Public Safety Committee (nine members).

The Corrections Committee would assume the Law Enforcement Committee's jurisdiction over "incarceration and rehabilitation of convicted felons" and "commitment and rehabilitation of youth." It would have new jurisdiction over "the establishment and maintenance of programs that provide alternatives to incarceration" and "construction, operation, and management of correctional facilities of the state and facilities used for the commitment and rehabilitation of youths." The Corrections Committee would have appropriations responsibility for the Texas Adult Probation Commission, the Texas Juvenile Probation Commission, the Texas Department of Corrections, the Texas Youth Commission, the Texas Work Furlough Program Advisory Board, and the Board of Pardons and Paroles, all from the Law Enforcement Committee.

The Public Safety Committee would assume the Law Enforcement Committee's jurisdiction over "public safety and emergency preparedness, enforcement, and development." It would have new jurisdiction over "the prevention of crime and the apprehension of criminals" and "the provision of security services by private entities." The Public Safety Committee would have appropriations responsibility over the Commission on Law Enforcement Officer Standards and Education, the Department of Public Safety, the Polygraph Examiners Board, the Texas Board of Private Investigators and Private Security Agencies, and the Crime Stoppers Advisory Council, all from the Law Enforcement Committee.

Jurisdiction over "all proposals to invite nonmembers to appear before and address the House" would be transferred from the Rules and Resolutions Committee to the House Administration Committee.

Appropriations responsibility for the Texas Forest Service (formerly known as the Office of State Forester) would be transferred from the Natural Resources Committee to the Agriculture and Livestock Committee.

The proposed rules would delete appropriations responsibility for certain state agencies abolished during the past two years. Agency name changes also would be reflected. Appropriations responsibility for certain new agencies generally would be assigned to the committees based on their legislative jurisdiction. However, appropriations responsibility for the new Texas Racing Commission would be assigned to the State Affairs Committee, not to the Urban Affairs Committee, which had originally reported the bill creating the commission, SB 15.

In 1985, the Texas Department of Water Resources was abolished and its jurisdiction divided between the Texas Water Commission and the Texas Water Development Board. HR 5 would eliminate from the Natural Resources Committee appropriations responsibility for the now-defunct Texas Department of Water Resources but would not assign appropriations responsibility for the Texas Water Commission or the Texas Water Development Board.

#### Procedural Changes

Bills or parts of bills that dedicate state money would require a special two-thirds vote of the House membership (100 votes) on third reading or on adoption of any Senate amendments. The new 100-vote requirement would not apply to conference committee reports or to bills or bill provisions that allocate or dedicate state money as required by the Texas Constitution.

The new 100-vote requirement would apply to (1) a bill that has the sole purpose of creating a new fund, inside or outside of the State Treasury, and dedicating state taxes, fees, or other income to the fund for a particular purpose or for use of a particular entity, and (2) a bill that would dedicate state taxes, fees, or other income previously not dedicated to an existing fund, for a particular purpose, or for use of a particular entity. (see Rule 8, sec. 22 on p. 133).

If a portion of a bill dedicates state money (in the same manner as a bill described in proposed Rule 8, sec. 22), that portion of the bill would have to be divided from the rest of the bill. On third reading of the bill or on adoption of any Senate amendments, the portion of the bill dedicating state money would have to receive a separate two-thirds vote of the House membership (100 votes). This separate 100-vote requirement would not apply if the speaker determined that the portion of the bill dedicating state money was indivisible from the purpose of the remainder of the bill. It would also not apply to conference

committee reports and to bill provisions that allocate or dedicate state money as required by the Texas Constitution. (see Rule 5, sec. 43 (b) on p. 90).

Under the current rules, a printed copy of each bill must be placed in each member's newspaper mailbox at least 24 hours before it may be considered by the House, except that a general appropriations bill requires a 168-hour wait. HR 5 would require that a copy of a bill set on an emergency calendar must be placed in the members' boxes 48 hours before it could be considered. (see Rule 8, sec. 16 on p. 130.) Under Rule 6, sec. 7 (1), the bills assigned to the emergency calendar include all bills to raise revenue and levy taxes, the general appropriations bill, and "all bills considered to be of such pressing and imperative import as to demand immediate action."

On Nov. 4, 1986, Texas voters approved an amendment to Art. 3, sec. 35 of the Texas Constitution. The amendment eliminated the constitutional requirement that the subject of each bill must be expressed in its title or caption and instead required each house of the Legislature to include that requirement in its rules of procedure. HR 5 would implement the new constitutional requirement by requiring that each bill include after its title or caption a brief statement that gives the Legislature and the public "reasonable notice" of the bill's subject (see Rule 8, sec. 1 (1) on p. 125).

The constitutional amendment approved last year also exempted recodification bills from the general limitation that bills cannot contain more than one subject. HR 5 would also exempt recodification bills from the one-subject limitation (amendment to Rule 8, sec. 3, p. 125). HR 5 would also exempt recodification bills from the requirement that laws cannot be revived or amended merely by reference to their title but must be printed in their entirety (see Rule 8, sec. 2 on p. 125).

Rule 4, sec. 34 (b) currently requires the director of the Legislative Budget Board to sign all fiscal notes. HR 5 would instead only require the LBB director to prepare all fiscal notes (p. 64). This change would simply mean that the LBB director would no longer have to sign personally the hundreds of fiscal notes prepared by the Legislative Budget Office staff during each session.

Additional changes would include in the House rules actions that are already common practice or assumed. Supplemental calendars issued up to two hours before the House convenes would list business postponed from a previous day and notice to take up bills or resolutions laid on the table subject to call on a previous day (Rule 6, sec. 14, p. 104). HR 5 would also include explicit authorization for members to prefile resolutions (see Rule 8, sec. 7 on p. 126), and would clarify that resolutions are

to be taken up and acted upon by the House in the order in which they appear on their calendar (see Rule 8, sec. 12 on p. 129).